



Grafton Conservation Commission

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Minutes of the December 21, 2021 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held via Zoom on December 21, 2021. Present were: Chairperson Sandra Brock, Alicia Bergeron, Jonathan Nickerson, Conservation Agent Leah Cameron and Conservation Assistant Jan Elyse Taylor. Commissioners Patrick Huegel and Elizabeth Doherty were absent.

Sandra Brock opened the public meeting at 7:02 p.m.

NOI #164-1021 / WP #838 – 29 Pullard Road – Accessible Housing for Children, Elders & Disabled, LLC – single family house – The hearing was opened but the applicant was not identified in the audience. Sandra Brock made a motion to delay the hearing until 7:15pm, which was seconded by Jonathan Nickerson and passed unanimously. James Tetreault of Azimuth Land Design, LLC presented updates to the project, including a stone infiltration trench to the southwest of the parking area, and that the project wetland scientist is to be on site to supervise replanting and excavation of the sewer connection. Mr. Tetreault noted that the sewer department would not allow connecting to the sewer line at the front of the property. Mr. Tetreault also addressed the Department of Environmental Protection's comments, stating the driveway is placed appropriately and there is no reasonable alternative for the riverfront alteration. The Agent asked if the parking area can be slightly shifted so that it is fully out of the riparian area, which Mr. Tetreault was agreeable to. Sandra Brock made a motion, seconded by Jonathan Nickerson, to grant a waiver to grant the requested waiver from Section V.C.5.a of the Grafton Wetlands Protection Bylaw Regulations for work to occur within the 25-foot no-disturb zone to access the sewer line. The motion carried unanimously. Sandra Brock made a motion, seconded by Jonathan Nickerson, to close the public hearing and issue the Order of Conditions pending the receipt of the revised plan with the following special conditions: Prior to commencement of work, the applicant shall obtain all other required municipal permits. A copy of any variances received from the Zoning Board of Appeals shall be submitted to the Commission to satisfy 310 CMR 10.58(4)(d)3.; All areas currently disturbed within the riverfront area beyond the limit of work shall be restored to natural vegetation. The applicant shall submit a planting plan for approval by the Commission prior to restoration work. This condition is ongoing and shall not expire with the issuance of a Certificate of Compliance; Additional disturbance or alteration is prohibited within riverfront. This condition is ongoing and shall not expire with the issuance of a Certificate of Compliance; The applicant shall refer to and comply with Section B.(8) of the Conservation Restriction (CR) on the property regarding the installation of signage, granite boundary markers, and split rail fence to delineate the boundary of the CR – Signage shall note both the boundary limit of the CR and the protected no-disturb riverfront area; and that the applicant shall install a public area access sign along Pleasant Street at the front of the public access easement. The motion carried unanimously.

NOI #164-1020/ WP #837 - 106 Millbury Street – Wendell Phillips – single-family house – Tom Schutz of Goddard Consulting LLC presented the revised project to the Commission which gave more detail on the temporary sediment basin and endorsed the drainage pipe staying close to the house's foundation without any bend. The Agent noted that the Department of Public Works (DPW) was sent a revised plan that showed the bends in the pipe and a farther distance from the house but did not have comments on the newly revised plan with the pipe returned to the original location. Sandra Brock disagreed with Mr. Schultz's assertions about the pipe and was concerned that the DPW wouldn't approve the pipe's location. Sandra Brock stated this issue is out of the Conservation Commission's jurisdiction and suggested adding a condition that the DPW needs to approve the plan. The Agent cited previous concerns about the grading at the down gradient of the pipe and that

the plan is lacking descriptive contour lines at that area. Mr. Schultz explained that it is a spot grade for the bottom of the pipe, and most of the pipe is covered by soil and dips downward slightly. Sandra Brock made a motion, seconded by Jonathan Nickerson to close the public hearing and issue the Order of Conditions with the following special conditions: work involving the pipe shall be undertaken during low flow periods; and prior to commencement of work, the plan must be approved by the DPW and a copy of the easement granted to DPW shall be submitted. The motion carried unanimously.

NOI #164-1018 / WP #835 & #164-1019 / WP #836 - 179 & 183 Upton Street – R. Lee Robinson – single-family houses – The applicant requested a continuance to 1/4/2022. Sandra Brock made a motion to continue the hearing to 1/4/2022. Jonathan Nickerson seconded the motion, which passed unanimously.

Request for Partial Certificate of Compliance & Minor Change – DEP #164-1010 / WP # 825 / SW #21-3 – 11 Wheeler Road – A. Eli Leino of Primmer Piper Eggleston & Cramer PC presented the land swap with the Grafton Land Trust to remove “parcel A” from the Order of Conditions via a partial Certificate of Compliance, and to include “parcel B” into those conditions in its place. Sandra Brock made a motion to approve the minor change and issue the partial Certificate of Compliance for parcel A. Jonathan Nickerson seconded the motion, which passed unanimously.

December 7, 2021 Meeting Minutes – Sandra Brock made a motion, seconded by Jonathan Nickerson, to accept the December 7, 2021 meeting minutes as drafted. The motion carried unanimously.

Request for Certificate of Compliance – DEP #164-848 / WP #587 – 11 & 13 Potter Hill Road – The Agent noted that she is still awaiting proof of the no-disturb sign installation. Sandra Brock made a motion to take no action and discuss this item at the 1/4/2022 meeting, which was seconded by Jonathan Nickerson. The motion carried unanimously.

Request for Certificate of Compliance - DEP#164-583/WP#430 - DEP#164-717/WP#560 - DEP#164-730/WP#570 – 244 Worcester Street – The Agent stated she is still awaiting proof of compliance documents for all the requests. Sandra Brock made a motion to take no action and discuss these items at the 1/4/2022 meeting, which was seconded by Jonathan Nickerson. The motion carried unanimously.

Flower Farming at Pell Farm - Grace Lam of Fivefork Farm inquired about potentially farming areas of Pell Farm and adding a small retail space. The Commission was interested in the request and wants to pursue more information about the process before forming a decision.

Tree Removal at Hennessy - The Conservation Assistant presented the proposal to remove trees to provide better habitat for grassland birds. This would involve removing thin corridors of trees to create more open grassland that is preferable to birds for nesting. Removal of trees that are close to resource areas would require filing a Request to Determine Applicability. The Commission was agreeable to the request and interested in fostering more community engagement.

Review Responsibilities in Open Space & Recreation Plan (OSRP) & Provide Feedback – The Agent presented the OSRP’s Action Plan and the Conservation Committee’s potential role. The Commission asked that the items be ranked numerically to better address the OSRP’s priorities.

Sandra Brock made a motion, seconded by Jonathan Nickerson, to adjourn the meeting at 8:56p.m. The motion carried unanimously.

Documents discussed & located in the Conservation Commission office:

12/07/21 Meeting Minutes
NOI Package – 29 Pullard Road
NOI Package – 106 Millbury Street
NOI Packages – 179 & 183 Upton Street
Supplemental Materials – 11 Wheeler Road
Request for Certificate of Compliance – 11 & 13 Potter Hill Road
Requests for Certificates of Compliance – 244 Worcester Street
Aerial photo of Pell Farm
Aerial photo of Hennessy
OSRP Action Plan
Report to Commissioners dated December 21, 2021

Minutes drafted by Jan Elyse Taylor
Approved on 1/4/2022